

State of Washington
Dept. of Ecology
4601 N. Monroe Street
Spokane, WA 99205-1295



**STATE OF WASHINGTON
TRUST WATER RIGHT
SUPERSEDING CERTIFICATE OF WATER RIGHT**

Document Title: Superseding Certificate of Water Right

Agency: Department of Ecology
Eastern Regional Office
4601 North Monroe
Spokane, WA 99205-1295

Applicant: State of Washington
Dept. of Ecology
4601 N. Monroe Street
Spokane, WA 99205-1295

Reference Number:

THIS CERTIFICATE SUPERSEDES TOUCHET RIVER ADJUDICATED CERTIFICATE NO. 14
ISSUED JULY 31, 1930.

PRIORITY DATE	APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
1869			Touchet River Adj. Cert. No. 14

This is to certify that the herein named applicant has made proof to the satisfaction of the Department of Ecology of a right to the use of the public waters of the State of Washington as herein defined, and under and specifically subject to the provisions contained in the Permit issued by the Department of Ecology, and that said right to the use of said waters has been perfected in accordance with the laws of the State of Washington, and is hereby confirmed by the Department of Ecology and entered of record as shown, but is limited to an amount actually beneficially used.

PUBLIC WATERS TO BE APPROPRIATED

SOURCE	TRIBUTARY OF (IF SURFACE WATERS)		
Touchet River	Walla Walla River		
MAX. CUBIC FEET PER SECOND	MAX. GALLONS PER MINUTE	MAX. ACRE-FEET PER YEAR	
0.111		19.20	

QUANTITY/TYPE OF USE/PERIOD OF USE

Instream Flow Trust Water Right

- 1) Primary Reach: 0.111 cfs, continuously, for the period of April 5th through June 30th, each year, for the purpose of instream flow to be used exclusively to enhance instream flows for fish maintenance and enhancement, recreational uses, or preservation of environmental and aesthetic values within the Touchet River.
- 2) Secondary Reach: 0.095 cfs, continuously, for the period of April 5th through June 30th, each year, for the purpose of instream flow to be used exclusively to enhance instream flows for fish maintenance and enhancement, recreational uses, or preservation of environmental and aesthetic values within the Touchet River.

LEGAL DESCRIPTION OF LOCATION OF DIVERSION/WITHDRAWAL

1/4 1/4 NO DIVERSION	SECTION	TOWNSHIP N.	RANGE (E. OR W.) W.M.	W.R.I.A. 32	COUNTY Walla Walla
----------------------------	---------	-------------	-----------------------	----------------	-----------------------

PARCEL # N/A

LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED

1/4 1/4 INSTREAM	SECTION	TOWNSHIP N.	RANGE (E. OR W.) W.M.	W.R.I.A. 32	COUNTY Walla Walla
---------------------	---------	-------------	-----------------------	----------------	-----------------------

PARCEL # N/A

ADDITIONAL LEGAL IS ON PAGE 2



Walla Walla County, WA

WR

2005-08274

Page: 1 of 2

07/08/2005 01:17P

CONTINUED LEGAL DESCRIPTION FOR LOCATION OF DIVERSION/WITHDRAWAL

CONTINUED LEGAL DESCRIPTION FOR PROPERTY ON WHICH WATER IS TO BE USED

Instream flow remains in the stream within the primary and secondary reaches as follows:

Primary Reach: Beginning at a point within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 2, T. 9 N., R. 36 E.W.M., approximately 800 feet east and 880 feet south of the center of Sec. 2, T. 9 N., R. 36 E.W.M., and extending downstream to that point at which the Touchet River crosses the west line of Sec. 2 within the W $\frac{1}{2}$ NW $\frac{1}{4}$ of Sec. 2, T. 9 N., R. 36 E.W.M.

Secondary Reach : Beginning at a point at which the Touchet River crosses the west line of Sec. 2 within the W $\frac{1}{2}$ NW $\frac{1}{4}$ of Sec. 2, T. 9 N., R. 36 E.W.M., and extending downstream to the confluence of the Touchet River with the Walla Walla River within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 4, T. 6 N., R. 33 E.W.M.

PROVISIONS

All conditions and requirements contained in reports of examination or permits previously issued apply to this superseding certificate unless specifically noted below.

This water right is subject to the availability of water at the original point of diversion on the Touchet River, within the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 1, T. 9 N., R. 36 E.W.M.

Nothing in this authorization shall be construed as satisfying other applicable federal, state, or local statutes, ordinances, or regulations.

Any water right holder who believes his or her water right is impaired by this Trust Water Right may request that Ecology review the impairment claim. If impairment under RCW 90.42.070 is determined to have occurred, Ecology shall cease or modify use of the Trust Water Right to eliminate the impairment.

Consistent with RCW 90.42.080(1)(a), this Trust Water Right shall be managed by Ecology as an instream flow right for the Touchet River, as described on the certificate, in perpetuity.

This authorization to make use of public waters of the State is subject to existing rights, including any existing rights held by the United States for the benefit of Indians under treaty or otherwise.

The right to use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, except as provided in RCW 90.03.380, 90.03.390, and 90.44.100.

This superseding certificate of water right is specifically subject to relinquishment for non-use of water as provided in Chapter 90.14 RCW.

*Given under my hand and the seal of this office at Spokane, Washington,
this 7th day of July, 2005.*

DATA REVIEW
OK RT
ECY 040-1-2 (Rev. 8-97)

Superseding Certificate



Jay J. Manning, Director
Department of Ecology

By Keith L. Stoffel
Keith L. Stoffel, Section Manager

Page 2

Touchet River Adj. Cert. No. 14

2005-08274
Page: 2 of 2
07/08/2005 01:17P

